

Town of Amherst
Zoning Board of Appeals - Special Permit

DECISION

Applicant: SiriNam S. Khalsa

Date application filed with the Town Clerk: August 2, 2005

Nature of request: A Special Permit to operate an ecologically conscious full service laundromat and to rent basement space for storage, under Section 9.22 of the Zoning Bylaw

Address: 319-321 Main Street (Map 14B, Parcel 28, R-G Zoning District)

Legal notice: Published on August 24th & 31st, 2005 in the Daily Hampshire Gazette and sent to abutters on August 24, 2005.

Board members: Zina Tillona, Tom Simpson and Barbara Ford

Submissions: The petitioner submitted the following with his application:

- A Management Plan for his proposed business "Planet Clean Laundry"
- A rendering of the proposed sign for above the doorway
- The Management plan for the building from Kamins Property Management which had been approved by the Board on August 11, 2005
- A GIS map of the 319-321 Main Street building in relation to the residential neighborhood
- Hand-drawn maps of the site and available parking on site
- A floor plan for the laundromat, showing 24 washing machines, 13 dryers, 7 folding areas, a drop-off area and a "kiddie area"

The Planning Department submitted a memo dated 9/6/06, revised 9/8/05, which referred to two recent Special Permits dealing with other businesses in the building, plus a Special Permit for Valley Bicycles which had occupied the space now under consideration. An additional email was sent on 9/21/05 which outlined 7 outstanding issues that the petitioner still needed to address.

Site Visit: September 6, 2005

The Board observed the following at the site visit:

- A brick office building in a residential neighborhood, across the street from the Emily Dickinson Museum, and part of the Dickinson National Register District.
- The proximity of the Commercial District to the east
- The deteriorating condition of the parking lot pavement and landscape areas.
- The interior of the store space proposed for the laundromat, including the stairway to the basement which the petitioner wishes to rent.
- The other businesses in the building, including a karate studio, a travel agency, a beauty salon and a clothing boutique

Public Hearing: September 8, 2005

SiriNam Khalsa, 438 Long Plain Road, Leverett, presented his petition to the Board.

He gave the following information:

- He wishes to have an ecologically conscious laundry, with energy efficient equipment and biodegradable, hypo-allergic, non-toxic detergent
- He wants to educate the community about ecology
- The laundromat will be user-friendly, with areas for patrons to sit and a play area for children
- The main sign will be in the front of the building along Main Street. The submitted drawing of the sign shows it to be 12' x 14' and have three downcast lights over it. An additional sign, smaller in size, is proposed for over the side entrance on the west side of the building, which is the entrance he wants customers to use.
- He thinks that a general directory sign, proposed by the Planning Department, located at the corner of the lot at Main and Dickinson Streets would be good idea for the entire building. This would be the responsibility of the landlord
- He doesn't need the basement for the laundromat, so will be renting it to a third party.

The Board found the proposed sign information to be incomplete. Mr. Simpson said that dimensions for both signs, the exact locations and elevations are needed prior to approval of the petition. Ms. Ford said that the proposed sign in the front of the building is out of proportion to the other signs for the building. The applicant needs to scale this sign down in particular.

Other information that the Board requested included:

- An exact floor plan of the business
- The occupancy of the laundry room, which will be relevant to the number of washing machines and dryers proposed
- An accessible restroom
- The baby-changing station should be in the restroom
- More definite information on the use of the basement
- What kind of food and beverages the petitioner is proposing.
- A revised management plan reflecting food service, maintenance of equipment and rental of the basement.
- Where and how the machines will be vented. Noise and odor of the vents may be an issue in the residential neighborhood where the building is located.

The petitioner stated that he wished to withdraw the proposed rental of the basement area from his application.

The Board discussed the sale of food at the laundromat. Mr. Khalsa stated that he wishes to sell small snacks – coffee, tea, chips, cookies, etc. Ms. Ford stated that there was nothing in the submitted information about food sales. Building Commissioner Bonnie Weeks noted that the Board of Health must be involved for any food services. A victualler license also will be needed.

The Board determined that they needed more information before a decision could be reached. Mr. Simpson moved to continue the hearing to September 22, 2005 at 7 PM. Ms. Ford seconded the motion, and the vote was unanimous to continue the hearing to September 22, 2005.

Continued Public Hearing: September 22, 2005, October 20, 2005, and December 15, 2005

On September 22nd, the petitioner was unable to attend the hearing, so the Board continued it to October 20, 2005 at 7 PM.

On October 20th, the petitioner again could not attend, and the Board continued the hearing to December 15, 2005.

Prior to the December 15th hearing, Mr. Khalsa sent an email to the Board stating that he has an alternative business option, and asked that the application for Planet Clean Laundry be withdrawn without prejudice.

Zoning Board Decision:

At the December 15th hearing, Mr. Simpson made a motion to APPROVE Mr. Khalsa's request to WITHDRAW the Special Permit application for the ecologically full-service laundromat. Ms. Ford seconded the motion, and the VOTE was UNANIMOUS to withdraw the Special Permit application without prejudice.

ZINA TILLONA

TOM SIMPSON

BARBARA FORD

FILED THIS _____ day of _____, 2006 at _____,
in the office of the Amherst Town Clerk _____.

TWENTY-DAY APPEAL period expires, _____ 2006.
NOTICE OF DECISION mailed this _____ day of _____, 2006
to the attached list of addresses by _____, for the Board.

NOTICE OF PERMIT or Variance filed this _____ day of _____, 2006,
in the Hampshire County Registry of Deeds.